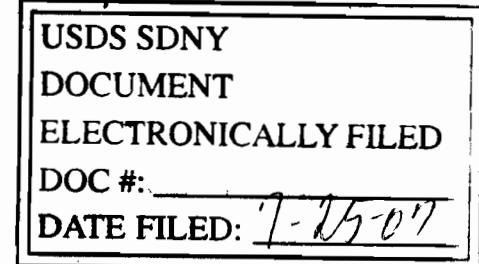


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
 LIMITED STORES, LLC, et al., :  
                                   : 07 Civ. 2835 (VM)  
                                   Plaintiffs, :  
                                   :  
                                   - against - : ORDER  
                                   :  
 QUIKSILVER, INC., :  
                                   :  
                                   Defendant. :  
 ----- X



**VICTOR MARRERO, United States District Judge.**

Counsel for plaintiffs, on behalf of the parties, having notified the Court, by letter dated July 24, 2007, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

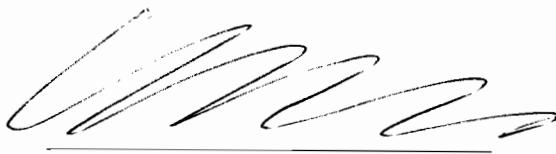
**ORDERED**, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within thirty days of the plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate.

This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

The Clerk of Court is directed to close this case.

**SO ORDERED.**

Dated: New York, New York  
25 July 2007



VICTOR MARRERO  
U.S.D.J.

## COLUCCI &amp; UMANS

218 EAST 50TH STREET  
NEW YORK, NEW YORK 10022-7681

FRANK J. COLUCCI, P.C.  
COURTNEY WILSON MONAHAN, P.C.  
W. BRANT MOSSOP, P.C.  
GREGORY J. COLUCCI, P.C.  
RICHARD P. JACOBSON, P.C.  
DAVID M. DAHAN, P.C.  
SUSAN B. JACOBSON  
KATHLEEN M. MCGANN  
GEORGANN M. CALLAGHAN  
MICHAEL J. PAMPALONE, III  
MARY G. FONTENOT  
JANICE K. YOON

OF COUNSEL  
NOTARO & MICHALOS P.C.

TELEPHONE (212) 935-5700  
FACSIMILE (212) 935-5728  
email@colucci-umans.com  
www.colucci-umans.com

KENNETH R. UMANS  
(1944-1999)

## WESTCHESTER OFFICE

670 WHITE PLAINS ROAD  
SCARSDALE, NEW YORK 10583-5025  
TELEPHONE (914) 472-1500  
FACSIMILE (914) 472-1551  
scarsdale@colucci-umans.com

July 24, 2007

VIA FACSIMILE  
(212) 805-6382

Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 660  
New York, New York 10007

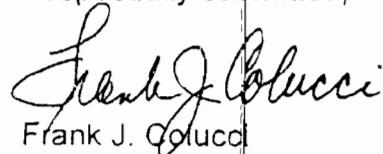
Re: Limited Stores, LLC, et al. v. Quiksilver, Inc.  
Civil Action No.: 07 CV 2835 (VM)  
Our File No. C700-558

Dear Judge Marrero:

We represent plaintiffs, Limited Stores, LLC and Limco, Inc., in connection with the above-referenced civil action. Pursuant to the Order dated July 17, 2007 directing plaintiffs to advise the Court of its contemplation with regard to further prosecution of this matter, we advise the Court that the parties have agreed to settle the matter. Plaintiffs expect to receive a fully executed settlement agreement from defendant by the end of this week.

We are mindful that the time period for effectuating service of the filed complaint set forth in Rule 4(m) of the Federal Rules of Civil Procedure expires on Tuesday, August 7, 2007, and we expect to resolve this matter and dismiss the complaint prior to this date. Accordingly, we respectfully request that the Court hold this matter in abeyance until August 7, 2007.

Respectfully submitted,

  
Frank J. Colucci

FJC/JKY/RPJ:lt

cc: Rod S. Berman, Esq. (via facsimile)  
Attorney for Defendant